

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

**IN RE PAYMENT CARD  
INTERCHANGE FEE AND MERCHANT  
DISCOUNT ANTITRUST LITIGATION**

**Case No. 05-MD-01720 (JG) (JO)**

**This Document Applies to: All Actions.**

**ORDER**

1. All actions transferred to MDL 1720 by the Judicial Panel on Multidistrict Litigation or other order of any court for inclusion in coordinated or consolidated pretrial proceedings, and all actions filed in this District that arise out of operative facts as alleged in the cases subject to the Orders of the Judicial Panel on Multidistrict Litigation, are included in *In re Payment Card Interchange Fee and Merchant Discount Antitrust Litigation*, 1:05-md-01720-JG-JO (E.D.N.Y.). That includes all the opt-out and declaratory judgment actions listed on Exhibit 1 to this Order, and any future such actions transferred to or filed in this District (collectively, the “New Actions”). The court clerk is hereby directed to list all such cases as member cases in 1:05-md-01720-JG-JO.

2. The New Actions will also be coordinated in *In re Payment Card Interchange Fee and Merchant Discount Antitrust Litigation*, 1:05-md-01720-JG-JO (E.D.N.Y.), under docket number 1:14-md-01720-JG-JO, which itself shall be included in 1:05-md-01720-JG-JO and listed as a related case therein. This Order does not constitute a determination that these actions should be consolidated for trial, nor does it have the effect of making any entity a party to an action in which it has not been joined and served in accordance with the Federal Rules of Civil Procedure.

3. For the administrative convenience of the Court, all filings in any New Action shall be made in 1:14-md-01720-JG-JO and not in the individual actions. The caption of the filing shall state under the case name "This Document Relates to:" and identify by description or case number(s) the New Action to which the filing applies. If a filing is generally applicable to all opt-out and/or declaratory judgment actions, the description should say, as applicable, "This Document Relates to: All Opt-Out Cases," "This Document Relates to: All Declaratory Judgment Cases," or "This Document Relates to: All Cases."

4. The court clerk is hereby directed to create a separate service list for the New Actions under 1:14-md-01720-JG-JO, which shall include all counsel who have entered an appearance in any of those cases to date. Any other counsel or party who wishes to receive service of electronic court filings in the consolidated actions may enter a notice of appearance for the party or interested non-parties that it represents in those actions under 1:14-md-01720-JG-JO.

5. The operative protective order in 1:05-md-01720-JG-JO shall continue to apply to all actions filed therein or transferred thereto for inclusion in coordinated or consolidated pretrial proceedings, including any of the New Actions under 1:14-md-01720-JG-JO.

2/14/2014  
Dated: \_\_\_\_\_

/s/ James Orenstein

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James Orenstein  
U.S. Magistrate Judge

**EXHIBIT 1**

<i>CVS Pharmacy, Inc. et al. v. Visa, Inc. et al.,</i> 1:13-cv-3059-JG-JO
<i>Visa U.S.A. Inc. et al. v. National Association of Convenience Stores et al.,</i> 1:13-cv-3074-JG-JO
<i>Visa U.S.A. Inc. et al. v. Wal-Mart Stores Inc.,</i> 1:13-cv-3355-JG-JO
<i>Buc-ee's Ltd. v. Visa Int'l Serv. Assoc. et al.,</i> 1:13-cv-3473-JG-JO
<i>Shop Rite, Inc. et al. v. Visa Inc. et al.,</i> 1:13-cv-3474-JG-JO
<i>Siegel v. Visa U.S.A. Inc. et al.,</i> 1:13-cv-4581-JG-JO
<i>Smith v. Visa U.S.A. Inc., et. al.,</i> 1:13-cv-4582-JG-JO
<i>Delta Air Lines, Inc. et al. v. Visa Inc. et al.,</i> 1:13-cv-4766-JG-JO
<i>Performance Food Group, Inc. v. Visa U.S.A. Inc. et al.,</i> 1:13-cv-4822-JG-JO
<i>Manheim Inc. v. Visa Inc. et al.,</i> 1:13-cv-5344-JG-JO
<i>Autotrader Group, Inc. v. Visa Inc. et al.,</i> 1:13-cv-5345-JG-JO
<i>Cox Media Group, LLC v. Visa Inc. et al.,</i> 1:13-cv-5346-JG-JO
<i>Cox Communications, Inc. v. Visa Inc. et al.,</i> 1:13-cv-5347-JG-JO
<i>Cox Enterprises, Inc. v. Visa Inc. et al.,</i> 1:13-cv-5348-JG-JO
<i>Live Nation Entertainment, Inc. v. Visa Inc. et al.,</i> 1:13-cv-5349-JG-JO

<i>G6 Hospitality, LLC et al. v. Visa Inc. et al.,</i> 1:13-cv-5350-JG-JO
<i>E-Z Mart Stores, Inc. et al. v. Visa Inc. et al.,</i> 1:13-cv-5352-JG-JO
<i>Target Corp. et al. v. Visa Inc. et al.,</i> 1:13-cv-5745-JG-JO
<i>7-Eleven, Inc. et al. v. Visa Inc. et al.,</i> 1:13-cv-5746-JG-JO
<i>Forman et. al., v. Visa Inc. et al.,</i> 1:13-cv-6339-JG-JO
<i>Hawaiian Holdings, Inc. et al. v. Visa Inc. et al.,</i> 1:13-cv-6370-JG-JO
<i>Jetblue Airways Corp. et al. v. Visa Inc. et al.,</i> 1:13-cv-6424-JG-JO
<i>DSW, Inc. v. Visa Inc. et al.,</i> 1:13-cv-6503-JG-JO
<i>Federal Express Corp. et al. v. Visa Inc. et al.,</i> 1:13-cv-6508-JG-JO
<i>Southwest Airlines Co. et al. v. Visa Inc. et al.,</i> 1:13-cv-6548-JG-JO
<i>Alaska Air Group, Inc. et al. v. Visa Inc. et al.,</i> 1:13-cv-7175-JG-JO
<i>Meta Advisors LLC v. Visa U.S.A. Inc. et al.,</i> 1:13-cv-04583-JG-JO
<i>American Eagle Outfitters, Inc. v. Visa Inc. et al.,</i> 1:14-cv-00321-JG-JO
<i>Progressive Casualty Insurance Co., et al. v. Visa U.S.A. Inc. et al.,</i> 1:14-cv-276-JG-JO
<i>Visa U.S.A. Inc. et al. v. The Home Depot, Inc. and Home Depot U.S.A., Inc.,</i> 1:14-cv-261-JG-JO
<i>Carnival Corp., et al. v. Visa, Inc., et al.,</i> 1:14-cv-716-JG-JO

*Minnesota Twins, LLC, et al. v. Visa Inc., et al.,*  
1:14-cv-873-JG-JO

*Tavern Hospitality Group Holdings, LLC, et al. v. Visa, Inc., et al.,*  
1:14-cv-880-JG-JO